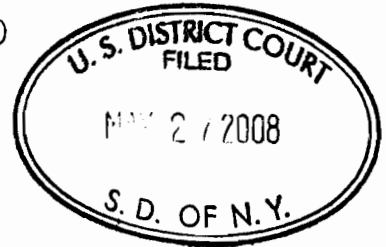


PRO SE OFFICE⁸⁰



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x
ADRIAN AGOSTINI,

Petitioner,

v.

00 cr. 237 (vm)
08 Civ 1196

UNITED STATES OF AMERICA,

Respondent,

NOTICE OF APPEAL

-----x

PLEASE TAKE NOTICE, that the above named petitioner wish to file a notice of appeal to the United States Court of Appeals for the Second Circuit on the final order of denial of the petitioner's §2255 motion entered in this court on March 26, 2008.

A separate request for a certificate of appealability (COA) is attach pursuant to §2253 28 USC.

Respectfully Submitted,

/s/

Adrian Agostini
Reg. No. 49886-054
FCI McKean
P.O.Box 8000
Bradford, PA 16701.

Dated: May 21, 2008.

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| USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 6-11-08 |
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| <i>As petitioner has not made a substantial showing of the denial of a constitutional right, a certificate of appealability will not issue. See 28 U.S.C. § 2253; Lozada v. United States, 107 F.3d 1011 (2d Cir. 1997).</i> | |
| SO ORDERED: | |
| 6-11-08 | <i>[Signature]</i> |
| DATE | VICTOR MARRERO, U.S.D.J. |